



National Coalition to Protect Student Privacy

17841 Rosecroft Road | Lexington Park, MD 20653 | 301-997-3963

www.studentprivacy.org

info@studentprivacy.org

DIRECTOR

Pat Elder

BOARD MEMBERS

Dr. Kathy Barker
Washington Truth in Recruiting
Seattle, Washington

Medea Benjamin
Co-founder
Code Pink, Women for Peace
Washington, DC

Dr. Don Chapin
Oregon Coalition to
Protect Student Privacy
Talent, Oregon

Barbara Harris
New York Coalition to
Protect Student Privacy

John Judge
C.H.O.I.C.E.S.
Washington, DC

Dr. Pat Salomon
Maryland Coalition to
Protect Student Privacy
Monterey, Massachusetts

David Swanson,
Author, Activist, Blogger
Charlottesville, VA

Sue Udry
Executive Director
Defending Dissent Foundation
Washington, DC

Ann Wilcox
National Lawyers Guild
Washington, DC

Diane Wood
Peaceful Vocations
Fort Worth, Texas

Testimony for the Senate Education Committee

March 12, 2014

SB 423 – AN ACT CONCERNING STUDENT PRIVACY AND THE ADMINISTRATION OF THE ARMED SERVICES VOCATIONAL APTITUDE BATTERY

SUPPORT

SB 423 protects the privacy of student information collected during the administration of the Armed Services Vocational Aptitude Battery Career Exploration Program ("ASVAB-CEP") from being disclosed to military recruiters without the active consent of parents and students.

The ASVAB-CEP is a three-hour test administered by Department of Defense (DoD) officials to Connecticut high school students. School officials throughout the state allow the ASVAB-CEP to be given because the results of the aptitude test and the interest inventory enable students to evaluate their skills, estimate performance in academic and vocational endeavors, and identify potentially satisfying careers. It's a good test.

Although the program is marketed in the state's schools as a career exploration tool, the Army's School Recruiting Program Handbook says the purpose of the ASVAB-CEP is to "provide the field recruiter with a source of leads of high school seniors and juniors qualified through the ASVAB for enlistment into the Active Army and Army Reserve." (1)

DoD regulations allow schools to select one of eight different options that determine the release of student information. (2) Under this bill, schools will be mandated to choose Release Option 8, which is the only option that prohibits the general release of student information to military recruiters, thereby protecting a student's right to privacy.

Under this act parents can choose to provide ASVAB test information to military recruiters; this bill ensures that parents are the ones making the choice, not schools. Nothing in this legislation will preclude the military from continuing to administer the test in the high schools for enlistment purposes.

Every school year thousands of high school students in the Connecticut public school system are encouraged to take the ASVAB test before they graduate. We do not object to the administration of the ASVAB test; however, the distribution of the enormous amount of data collected on the ASVAB to military recruiters is a serious infringement on the privacy rights of those students. The information requested goes far beyond a simple name and address and test scores; during the administration of the ASVAB, students release their gender, race, ethnicity, test results, career desires, and social security numbers. Most often this information gathering is done without parental involvement or consent. Many students and parents of those students have no knowledge about where all of their private and personal information goes, nor do they realize how much information is released to military recruiters.

While many schools have already taken steps to disallow the ASVAB from being used as a recruitment tool without parental consent, students' privacy in other Connecticut schools are not protected. (3) Parents and students should be afforded the opportunity to decide whether they want to contact military recruiters and share this information, not the schools or the recruiting command.

SB 423 allows parents to choose whether student information collected through the administration of the ASVAB-CEP is shared with military recruiters. As Education Secretary Arne Duncan said at a recent School Privacy Zone summit in Washington, D.C.: "school systems owe families the highest standard of security and privacy." I urge you to support SB 423, because frankly we owe it to Connecticut's families.



Seth Kershner
Assistant Director

(1) United States Army Recruiting Command Pamphlet 350-13, Sec. 6-2

(2) These options are known as Recruiter Release Options and each option has a different time requirement for the release of student information to recruiting services. For example, Option 1 requires schools to provide student test information to recruiting services no sooner than 7 days after the results are mailed to the school.

(3) Paul J. Jacobsmeyer, Chief, Freedom of Information Office of the Secretary of Defense and Joint Staff FOIA Request Service Center <http://www.dod.mil/pubs/foi/> 1155 Defense Pentagon Washington, DC 20301-1155; Specifically, see <http://www.studentprivacy.org/state-data.html> for the Connecticut database.

(4) As reported in Benjamin Herold, "Education Leaders Tackle Student Data Privacy Issues at Summit," *Digital Education* (24 February 2014), http://blogs.edweek.org/edweek/DigitalEducation/2014/02/education_leaders_tackle_stude.html